

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicants: Ting-Chang Chang, Examiner: Powell, William A
Po-Tsun Liu,
Yi-Shien Mor

Filing Date: 07/03/2001 Art Unit: 1765
Application No.: 09/681,986 Docket No.: NAUP0377USA

10

Title: Method of avoiding dielectric layer deterioration
with a low dielectric constant during a stripping
process

15 To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Subject: Petition to withdraw holding of abandonment
20

Appendices including cited documents are attached
following page 5 of this paper.

25

Dear Sir/Madam:

The following is a petition under 37 CFR 1.181(a) to withdraw
the holding of abandonment for the above-identified application,
30 as per MPEP 711.03(c)(II).

1/15/2004
Application No. 09/681,986
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On 12/31/2003, the USPTO's PAIR system was utilized to perform a check of the above-identified application. The PAIR system indicated that the present application had become abandoned on 03/28/2003 for failure to pay
5 the issue fee in response to a Notice of Allowance mailed on 11/20/2002. However, a search of the file jacket and docket records attests to the fact that the appropriate permissions and instructions to deduct the issue fee from the applicant's account was sent to the
10 USPTO in a timely response to the Notice of Allowance. Attached to this petition is a copy of the relevant Fee Transmittal form (PTO/SB/17) sent to the USPTO on 01/29/2003 (Appendix A).

15 A copy of the Notice of Allowability (Part of Paper No.3) included with the Notice of Allowance is attached to this petition as Appendix B. It is noted that in the Notice of Allowability, the Examiner has marked the box indicating that new drawings including changes required by the Notice of
20 Draftsperson's Patent Drawing Review (PTO-948) were to be submitted and that the relevant PTO-948 sheet was attached to Paper No.3. However, in the list of Attachments to said Notice of Allowability, the box corresponding to a PTO-948 sheet has not been checked and a copy of said PTO-948 sheet
25 was not included with either said Notice of Allowability or said Notice of Allowance.

Because the PTO-948 sheet was not included with the Notice of Allowability, it was impossible for the applicant to
30 determine what, if any, changes to the drawings were required by the Draftsperson. In an effort to fully cooperate with the

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Examiner, a telephone interview was conducted with the Examiner on 01/23/2003 to ascertain what changes to the drawings were required and to request a copy of said PTO-948 sheet be sent to the Applicant. The Examiner responded that a formal request
5 for the PTO-948 sheet must be submitted.

Therefore, a formal request for the said PTO-948 sheet was sent to the Assistant Commissioner of Patents at the USPTO on 01/29/2003. Included in the formal request was a request
10 that the period for reply to the Notice of Allowance be reset accordingly as a critical piece of information was lacking in the originally sent Notice of Allowability (Paper No.3). A copy of said request is attached to this petition as Appendix C.

15

The Applicant has received no response of any kind to the formal request for the alleged missing PTO-948 sheet. Moreover, a Notice of Abandonment for this application was never received.

20

Please see the attached copy of the file docket for the present application (Appendix D). The line with the encircled "1" indicates the Notice of Allowance was received by the Applicant on 12/02/2002. The line with the encircled "2" recognizes the request by the Examiner for new formal drawings.

25

The line with the encircled "3" documents the telephone interview on 01/23/2003 with the Examiner concerning said PTO-948 sheet. The line with the encircled "4" shows that the formal request for the alleged missing PTO-948 sheet was sent to the USPTO on 01/29/2003. The line with the encircled "5"

30

documents that instructions and authorization for payment of the issue fee were also sent to the USPTO on 01/29/2003. The

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line with the encircled "6" shows the Applicant's discovery
of abandonment on the USPTO's PAIR system on 12/31/2003 and
the need for this petition. Clearly, there were no intervening
papers from the USPTO from 01/29/2003 to 12/31/2003, and hence
5 the Applicant never received said PTO-948 sheet.

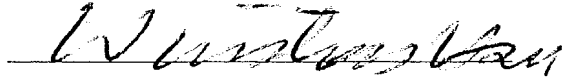
It is noted that the USPTO's PAIR system page for the present
application (Appendix E) does not specifically show either
the receipt of the issue fee or the formal request for said
10 PTO-948 sheet. However, item numbers 18 and 19 of the same
USPTO's PAIR system page do show that two "Miscellaneous
Incoming Letter"s were received by the USPTO on 01/29/2003,
the same date that the applicant sent the issue fee and request
for said PTO-948 sheet. It is unclear to the Applicant exactly
15 what a "Miscellaneous Incoming Letter" indicates. However,
it is suggested that the two "Miscellaneous Incoming Letter"s
further confirm that the issue fee and the request for said
PTO-948 sheet were received by the USPTO and that the Applicant
was unavoidably unable to properly respond to the Notice of
20 Allowance because said PTO-948 sheet was never received.

Due to the above, and with regards to MPEP 711.03(c)(II),
the Applicant respectfully requests that the holding of
abandonment of the present application be withdrawn. Further,
25 the Applicant politely requests that a copy of said PTO-948
sheet be sent to the Applicant and that the period for reply
to the Notice of Allowance be reset accordingly so that a proper
response may be provided.

30

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

Sincerely,



Date: 1/16/2004

5 Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506

Merrifield, VA 22116

U.S.A.

e-mail : winstonhsu@naipo.com.tw

10 (Please contact me by e-mail if you need a telephone
communication and I will return your call promptly.)

15

Attachments: Appendix A Issue Fee
 Appendix B Notice of Allowability
 Appendix C Request for PTO-948 sheet
20 Appendix D File Docket
 Appendix E USPTO PAIR system page

Appendix A

PTO/SB/21 (08-00)
 Approved for use through 10/31/2002. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/681,986	
	Filing Date	07/03/2001	
	First Named Inventor	Ting-Chang Chang	
	Group Art Unit	1765	
	Examiner Name	Powell, William A.	
Total Number of Pages in This Submission	2	Attorney Docket Number	NAUP0377USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Missing parts in Notice of Allowability dated 11/20/2002
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	4/29/2003

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <input type="text"/>		
Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Appendix A

Approved for use through 04/30/2003. OMB 0651-0032
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003 <small>Effective 01/01/2003. Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>	
		Application Number	09/681,986
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	07/03/2001
TOTAL AMOUNT OF PAYMENT (\$) 0.00		First Named Inventor	Ting-Chang Chang
		Examiner Name	Powell, William A.
		Art Unit	1765
		Attorney Docket No.	NAUPD377USA

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-0801 Deposit Account Name: North America International Patent Office Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES Large Entity / Small Entity																																																																																																																																																					
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Code (\$)</th> <th>Small Entity Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001 750</td><td>2001 375</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002 330</td><td>2002 165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003 520</td><td>2003 260</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004 750</td><td>2004 375</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005 160</td><td>2005 80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="3">SUBTOTAL (1)</td><td>(\$) 0.00</td></tr> </tbody> </table>		Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid	1001 750	2001 375	Utility filing fee		1002 330	2002 165	Design filing fee		1003 520	2003 260	Plant filing fee		1004 750	2004 375	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1)			(\$) 0.00	<table border="1"> <thead> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - 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SUBMITTED BY		<i>(Complete if applicable)</i>	
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526
Signature	<i>Winston Hsu</i>	Telephone	866289237350
		Date	09/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Appendix B

Notice of Allowability	Application No. <i>09/681,986</i>	Applicant(s) <i>Chang et al</i>	
	Examiner <i>Wm. A. Powell</i>	Art Unit <i>1765</i>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to *Jul. 03, 2001.*
2. The allowed claim(s) is/are *1-17.*
3. The drawings filed on _____ are acceptable as formal drawings.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All. b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 * Certified copies not received: _____
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.138(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

7. Applicant MUST submit NEW FORMAL DRAWINGS
 (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No. *3.*
 (b) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

- Attachment(s)
- | | |
|--|--|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | <input type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

(O) 703-308-1975
(P) 703-872-9311
872-9310
William A. Powell
WILLIAM A. POWELL
PRIMARY EXAMINER

Appendix C

Approved for use through 10/31/2002. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/681,986	
	Filing Date	07/03/2001	
	First Named Inventor	Ting-Chang Chang	
	Group Art Unit	1765	
	Examiner Name	Powell, William A.	
Total Number of Pages in This Submission	4	Attorney Docket Number	NAUP0377USA

ENCLOSURES <small>(check all that apply)</small>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <small>(for an Application)</small>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <small>(Appeal Notice, Brief, Reply Brief)</small>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Missing parts in Notice of Allowability dated 11/20/2002
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Request has been sent to examiner by fax on 2003/1/29.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	1/29/2003

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____		
Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Appendix C

Approved for use through 04/30/2003. OMB 0651-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003 <small>Effective 01/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	09/681,986
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	07/03/2001
		First Named Inventor	Ting-Chang Chang
		Examiner Name	Powell, William A.
TOTAL AMOUNT OF PAYMENT		Art Unit	1765
(\$) 0.00		Attorney Docket No.	NAUP0377USA

METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-0801 Deposit Account Name: North America International Patent Office		FEE CALCULATION (continued)																																																																																																																																																													
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 750</td> <td>2001 375</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 330</td> <td>2002 165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 520</td> <td>2003 260</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 750</td> <td>2004 375</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 160</td> <td>2005 80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (1)</td> <td>(\$) 0.00</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 750	2001 375	Utility filing fee		1002 330	2002 165	Design filing fee		1003 520	2003 260	Plant filing fee		1004 750	2004 375	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1)			(\$) 0.00	3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>1804 920</td> <td>1804 920</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840</td> <td>1805 1,840</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252 410</td> <td>2252 205</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 930</td> <td>2253 465</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,450</td> <td>2254 725</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 1,970</td> <td>2255 985</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 320</td> <td>2401 160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 320</td> <td>2402 160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 280</td> <td>2403 140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - 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SUBMITTED BY		(Complete if applicable)	
Name (Print/Type):	Winston Hsu	Registration No. (Attorney/Agent):	41,526
Signature:	<i>Winston Hsu</i>	Telephone:	886289237350
		Date:	7/9/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Ting-Chang Chang Examiner: Powell, William
Po-Tsun Liu
Yi-Shien Mor
Filing Date: 07/03/2001 Art Unit: 1765
App. No.: 09/681,986 Docket No.: NAUP0377USA

10

Title: Method of avoiding dielectric layer deterioration
with a low dielectric constant during a stripping
process

15 To: Assistant Commissioner of Patents
Washington, D.C. 20231

Subject: Missing parts in Notice of Allowability dated
11/20/2002

20

Dear Sir or Madame:

A Notice of Allowability was mailed on 11/20/2002,
indicating acceptance of claims 1-17 in the above-indicated
25 application. However, the Notice of Allowability also indicated
that new formal drawings must be submitted in response to a
Draftperson's Patent Drawing Review (PTO-948), which was
allegedly attached with the Notice of Allowability (part of
paper No. 3). Unfortunately, the PTO-948 sheet was not actually
30 attached with paper No. 3, and so the Applicant is currently
unable to respond to the objections purportedly raised in the
PTO-948 paper.



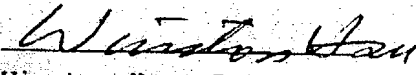
On January 23, 2003, a telephone interview was held with
the Examiner requesting information about the missing PTO-948
so as to be able to respond with the appropriate corrected
5 drawings. The Examiner responded that a formal request for
the PTO-948 sheet must be submitted.

In light of the above, it is requested that the Draftperson's
Patent Drawing Review sheet PTO-948 be sent to the Applicant,
10 and that the period for reply be accordingly reset as this
critical piece of information was lacking from the originally
sent Notice of Allowability. Once the PTO-948 sheet is received,
the Applicant will be able to properly respond with corrected
drawings.

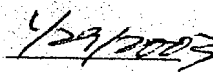
15

Sincerely yours,

20


Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506
Merrifield, VA 22116

Date:



25

U.S.A.
e-mail: winstonhsu@naipo.com.tw

Appendix D

PAGE 1

本所案號: XIAU-2001-0012 名稱: Method of avoiding dielectric layer deterioration with a low dielectric constant during a stripping process.
 客戶案號: OMC0-2001-0012
 國外案號: 09/681,986 申請日期: 9/3/01 專利日期:
 發明人: 張鼎強 劉柏村 蔡小利

文件編號	階段	績效編號	日期	記錄人	項目	摘要
1		30E2	03/07/01	Amanda	Form 30E2	新 單
1			7/27/01	Karen		Claim trans.
2			3/27	Mike		claim trans. Edt
3			4/10	Karen		spec. translation
4			4/17	Conn		spec trans Edt
			4/30/01	Zrene	To 張鼎強	確認內容
			5/4/01	Conn	From 賴國威	送稿
			5/18/01	Zrene	To 張鼎強	確認內容
			6/18/01	"	From "	改行可至 74
			7/4	Conn	To PTO	送 P
			8/1	"	From "	along receipt
			8/21	"	"	Keanda
			8/26/01	To PTO	Melissa	USA priority x 1
			11/29	"	From PTO	收到 "
→ ①			12/1/02	Danile	From PTO	(deadline: 2003/12/30) allowance fee notice
→ ②			1/20/03	N.	From Nam.	要補圖 due 1/23
			1/23/03	1/22	To: Mike	領到補圖 due 1/28
→ ③			1/24-3	Conn	To: 潘德武	送補圖 + interview 說明
→ ④			1/29/03	Mike		Request for PTO-948
→ ⑤			"	張	To PTO	" " " pay fee

案件中的每一個階段及相關文件的產生及出入均應詳實記載。

NPO-PIA074-02

1/2/01 0 程 From PTO Name of activation of

PAGE 2

本所案號: NAU-02799-44(X) 名稱: _____
 客戶案號: AMGDT 2001-0012
 國外案號: _____
 專利案號: _____ 申請日期: _____ 專利日期: _____
 發明人: _____ 國別: _____

否不主張 是主張優先權 日期: _____

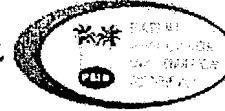
文件編號	階段	績效編號	日期	記錄人	項目	摘要
						issue (w/son)
→ (6)			2003/12/31	ly	trans 評述	Position / 不滿意
			2004/1/15	ly	To	



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Search results for application number: 09/681,986			
Application Number:	09/681,986	Customer Number:	27765
Filing or 371(c) Date:	07-03-2001	Status:	Abandoned - Pay Issue Fee
Application Type:	Utility	Status Date:	03-28-2003
Examiner Name:	POWELL, WILLIAM A	Location:	TECH CENT DIRECTOR 2
Group Art Unit:	1765	Location Date:	10-20-2003
Confirmation Number:	1164	Earliest Publication No:	US 2003-001
Attorney Docket Number:	NAUP0377USA	Earliest Publication Date:	01-16-2003
Class/ Sub-Class:	438/723	Patent Number:	-
First Named Inventor:	Ting-Chang Chang, Hsin-Chu City, (TW)	Issue Date of Patent:	-
Title Of Invention:	METHOD OF AVOIDING DIELECTRIC LAYER DETERIOATION LOW DIELECTRIC CONSTANT DURING A STRIPPING PROC		

- [PTA History](#)
- [Foreign Priority](#)
- [Continuity Data](#)

File Contents History		
Number	Date	Contents Description
21	03-28-2003	Mail Abandonment for Failure to Pay Issue Fee
20	03-28-2003	Abandonment for Failure to Pay Issue Fee
19	01-29-2003	Miscellaneous Incoming Letter
18	01-29-2003	Miscellaneous Incoming Letter
17	12-27-2002	Receipt into Pubs
16	11-22-2002	Workflow - File Sent to Contractor
15	11-21-2002	Receipt into Pubs
14	11-20-2002	Dispatch to Publications
13	11-20-2002	Mail Notice of Allowance
12	11-20-2002	Mail Formal Drawings Required
11	11-18-2002	Formal Drawings Required
10	11-18-2002	Notice of Allowance Data Verification Completed
9	11-18-2002	Case Docketed to Examiner in GAU
8	11-18-2002	Notice of Allowability
7	11-01-2001	Case Docketed to Examiner in GAU
6	07-23-2001	Case Docketed to Examiner in GAU
5	07-18-2001	Application Dispatched from OIPE
4	07-16-2001	Correspondence Address Change
3	07-11-2001	IFW Scan & PACR Auto Security Review
2	07-03-2001	Electronic Filing of Original Application Papers
1	07-03-2001	Initial Exam Team nn